

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X
ASHOT EGIAZARYAN,)
)
 Plaintiff,) Civ. Action No.
)
 -against-) 11 CIV 2670
) (PKC) (GWG)
 PETER ZALMAYEV,)
)
 Defendant.)
-----X

Tuesday, March 20, 2012

- - -

Videotape Deposition of RINAT R.

AKHMETSHIN held in the offices of Greenberg
Traurig, 2101 L Street, Northwest, Washington,
D.C. 20037 commencing at approximately 10:11 a.m.,
on the above date, before Cindy L. Sebo,
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1 RINAT R. AKHMETSHIN
2 and -- strike that.

3 Are you aware that there were no
4 e-mails that were provided in response to
5 Exhibit 159?

6 A. I am aware of that.

7 Q. Why is it that that -- that you
8 did not provide any e-mails in response to
9 the subpoena that's been marked as
10 Exhibit 159?

11 A. I routinely delete --

12 THE COURT REPORTER: I'm sorry?

13 THE WITNESS: I routinely
14 delete my correspondence on matters
15 and, in general, keep my mailbox
16 light.

17 BY MR. COHEN:

18 Q. How do you decide what gets
19 relief -- deleted or not deleted?

20 A. Something which is relevant, I
21 keep, but what's irrelevant, things get
22 deleted.

23 Q. If you were continuing to work
24 on a particular project, do you retain the
25 e-mails relating to that project until the

1 RINAT R. AKHMETSHIN

2 project is completed?

3 A. I don't.

4 Q. Have you checked whether deleted
5 items that were on your computer could be
6 retrieved from your computer?

7 A. I did check.

8 Q. How did you check?

9 A. I went to these undelete. I went
10 to this trash box. I went to all those
11 areas.

12 Q. Did you have any computer or
13 information technology specialist look at
14 your computer to determine whether documents
15 that you believe were deleted could be
16 located on the computer somewhere?

17 MR. SPERDUTO: Objection to the
18 form.

19 THE WITNESS: I'm pretty
20 comfortable with computers myself.

21 BY MR. COHEN:

22 Q. Did you go to anybody else to
23 help -- to help you?

24 A. I don't ever go to anyone else.

25 Q. And did you in this case --

1 RINAT R. AKHMETSHIN

2 occasion go to anybody else?

3 A. I did not.

4 Q. Do you still have the computer?

5 A. Not that one. I have a new one
6 now.

7 Q. When did you get a new computer?

8 A. I think it was last year, I
9 think, sometime.

10 Q. At the end of 2011?

11 A. Correct.

12 Q. Were you notified by anyone that
13 you should retain the computer during the
14 pendency of the lawsuit by Ashot Egiazaryan
15 against Peter Zalmayev?

16 A. I do not recall such warning.

17 Q. What was your process by which
18 you maintained and deleted e-mails?

19 A. Could you please --

20 MR. SPERDUTO: I think you
21 asked that, didn't you, Jason?

22 Asked and answered.

23 Go ahead if you --

24 THE WITNESS: Could you
25 elaborate a little bit?

1 RINAT R. AKHMETSHIN
2 A. I --
3 Q. -- now?
4 A. -- just disposed of it.
5 Q. How did you dispose of it?
6 A. Just throw it out in the trash.

7 It wouldn't even start.

8 Q. Do you back up your computer?
9 A. Not regularly. I should,

10 probably.

11 Q. Do you have a backup device that
12 you use to -- to make sure if the computer
13 crashes, you don't lose all your data --

14 A. No --
15 Q. -- and information?
16 A. -- no, I never have anything
17 relevant.

18 It happens to me all the time.
19 Sometimes I lose computer. I have a little
20 child sometimes just step on it, and it
21 just -- I go through many computers.

22 Q. And do you, from time to time,
23 keep e-mails?

24 A. There's no system for this.

25 Q. Do you, from time to time, keep

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Sure.

4 Did you have a regular practice
5 of reviewing your computer on a regular basis
6 to delete e-mails, or did you do it on a
7 ongoing basis?

8 A. On an ongoing basis. There's no
9 system; but, you know, I tend not to keep
10 documents. Most of the documents have
11 attachments which I save, but -- if it's
12 relevant. If not, then -- because, you know,
13 I tend not to keep a lot of mail.

14 Q. And where do you save
15 attachments?

16 A. On the hard drive.

17 Q. What did you do with the
18 computer that you used in 2010 and 2011 and
19 you say you got rid --

20 A. Just did -- just --

21 Q. -- of sometime towards the end
22 of 2011?

23 A. -- it's -- it was an old
24 computer. It crashed --

25 Q. And where is it right --

1 RINAT R. AKHMETSHIN

2 e-mails?

3 A. I might.

4 Q. When you replaced the
5 computer -- the older computer with a new
6 computer at the end of 2011, did you
7 transfer any of the data from the old
8 computer to the new computer?

9 A. I did not. I did not.

10 Q. Other than e-mails, did you
11 destroy any other documents --

12 MR. SPERDUTO: Objection --

13 BY MR. COHEN:

14 Q. -- relating to --

15 MR. SPERDUTO: -- objection,
16 objection --

17 BY MR. COHEN:

18 Q. -- Ashot Egiazaryan?

19 MR. SPERDUTO: -- objection to
20 the form; that assumes facts not in
21 what you're -- in evidence; and it's
22 arg- --

23 THE WITNESS: I did not destroy
24 anything in this --

25 MR. SPERDUTO: -- and it's

1 RINAT R. AKHMETSHIN

2 Mr. Vavilov is a private citizen,
3 and he lives in the United States, resident
4 of the United States and resident of Russia.
5 So there's absolutely no FARA affiliation.

6 Q. Do you know where Mr. Vavilov
7 got the cash from?

8 A. I don't know. You should ask
9 him.

10 Q. Did Mr. Vavilov say whether
11 there were other individuals or entities who
12 were participating with him in initiating
13 this project against Ashot Egiazaryan?

14 MR. SPERDUTO: Objection to the
15 form.

16 THE WITNESS: Mr. Vavilov hates
17 your client's guts. You know, he
18 doesn't need any organizations. He
19 hates him for --

20 BY MR. COHEN:

21 Q. Did he say --

22 A. -- a dozen years.

23 Q. -- did he say whether he was
24 cooperating with anybody else?

25 A. I don't think so.

1 RINAT R. AKHMETSHIN

2 a very short break.

3 MR. COHEN: Sure, absolutely.

4 MR. SPERDUTO: Be right back.

5 THE VIDEOGRAPHER: The time is
6 2:56. We're going off the record.
7 This is the end of Disc Number 2,
8 going on to Disc Number 3.

9 (Whereupon, a brief recess was
10 taken from 2:56 p.m. to 3:06 p.m.)

11 THE VIDEOGRAPHER: The time is
12 3:06 p.m. This is the beginning of
13 Disc Number 3 in the deposition of
14 Rinat Akhmetshin.

15 BY MR. COHEN:

16 Q. Just going back to Exhibit 170
17 for a second.

18 A. Yes, sir.

19 Q. And that's the one that has the
20 Dear colleagues?

21 A. Yes.

22 Q. And -- and you said that you
23 don't consider yourself colleagues with the
24 Public Strategies people; is that correct?

25 A. I did not -- I do not --

1 RINAT R. AKHMETSHIN

2 Q. And that's not --

3 A. -- consider myself a colleague.

4 Q. -- a phrase that you would
5 use --

6 A. Definitely not.

7 Q. -- strike that.

8 That's not a phrase that you
9 would use to describe your relationship with
10 them?

11 A. Oh, definitely not.

12 Q. And -- and you wouldn't refer to
13 Mr. Hitt or Mr. Eller or Mr. Laurence as a
14 colleague; is that correct?

15 A. I definitely would not.

16 Q. By the way, who's -- who's --
17 there's an A. Laurence.

18 A. I have no idea --

19 Q. Do you know who --

20 A. -- I never met him --

21 Q. -- do you know who Hilland --
22 Hilland Knowlton is?

23 A. -- I know the firm, actually. I
24 employed them years ago.

25 Q. Do you know them as relating to

1 RINAT R. AKHMETSHIN

2 any Ashot Egiazaryan issue?

3 A. I'm not aware of it, but I know
4 the firm -- I heard the name -- I know the
5 firm, actually. I used to know people there
6 before.

7 Q. Do you know who Andrew Laurence
8 is?

9 A. Never, never met him.

10 MR. COHEN: Ask the court
11 reporter to mark as Exhibit 173 an
12 e-mail from Rinat Akhmetshin to
13 Levan Zgenti, who is not a person.

14 Yeah, we have lots of copies.

15 - - -

16 (Whereupon, an e-mail was
17 marked, for identification purposes, as
18 Deposition Exhibit Number 173.)

19 - - -

20 MR. SPERDUTO: Oh, thank you.

21 MR. COHEN: And we'll get
22 another one.

23 BY MR. COHEN:

24 Q. Okay. Do you know who
25 Paul Butler is?

1 RINAT R. AKHMETSHIN

2 A. He's a lawyer there.

3 Q. He's a lawyer for who?

4 A. For -- I don't know. He's a
5 lawyer at Akin Gump. He works for one of
6 those interests which were hit by
7 Mr. Egiazaryan.

8 Q. He's a lawyer for
9 Suleiman Kerimov-related interests; is that
10 correct?

11 A. I -- I think so, yes.

12 Q. Is that something --

13 A. He's a lawyer for the firm, I
14 think, for the company which is -- some way
15 there.

16 Q. And this is an e-mail from you
17 to Levan Zgenti --

18 A. Um-hum.

19 Q. -- is that correct?

20 A. Yes.

21 Q. And -- and that's Russian -- is
22 that -- is that a company or --

23 A. It's -- it's just a name, I
24 think. It's not the name of the person;
25 it's, like -- the name of the person is

1 RINAT R. AKHMETSHIN

2 Viktor.

3 Q. It's just an e-mail address?

4 A. It's an e-mail address, yes --

5 Q. Okay.

6 A. -- the name of the person is

7 Viktor.

8 Q. And -- and what is the subject
9 of this e-mail?

10 A. Let me just read it.

11 MR. SPERDUTO: You should use
12 this.

13 THE WITNESS: Um-hum.

14 (Whereupon, the witness reviews
15 the document.)

16 BY MR. COHEN:

17 Q. You copied Jeff Eller on this as
18 well, right?

19 A. Correct, yes.

20 Q. And Greg Hitt?

21 A. Correct.

22 Q. And Paul Butler, who we just
23 discussed; is that correct?

24 A. They were -- correct, yes.

25 Q. And you refer to all of those

1 RINAT R. AKHMETSHIN

2 individuals as colleagues; is that correct?

3 A. Yes, an unfortunate turn of
4 phrase.

5 Q. At that point, you felt that
6 they were colleagues?

7 A. I did not feel that way, but I
8 think that since this was -- was it before or
9 after this other colleague matter? Maybe
10 it's something in this spirit.

11 But they were never my
12 colleagues, sir, for the record.

13 Q. This e-mail is before the e-mail
14 from Viktor referring to you as a colleague;
15 is that correct? If I can ask you to
16 compare --

17 A. Is this 15 --

18 Q. -- Exhibit 170 with 173.

19 A. One second.

20 March 23rd. February 25th.

21 Yes, it appears that way, sir.

22 Q. Why were you passing along this
23 information to the -- these individuals and
24 entities who work for Suleiman Kerimov?

25 A. Just to make them aware, because